

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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INVESTMENT FUND 2 LLC,,

Plaintiff,

-against-

ORDER ADOPTING R & R

17-CV-1220DRH)(SIL)

ALISHA ANTHONY, as the Administrator for the
Estate of ANGELINE HUBBARD-WATSON,
Deceased; and ALISHA ANTHONY; TEVIN
HUBBARD-WATSON, DAVID ANTHONY, and
TATIANA HUBBARD-WATSON; ACTING
SECRETARY OF HOUSING AND URBAN
DEVELOPMENT OF WASHINGTON D.C.

HIS SUCCESSOR AND ASSIGNS AS THEIR
RESPECTIVE INTEREST MAY APPEAR;
BENEFICIAL NEW YORK, INC.; TOYOTA
MOTOR CREDIT CORPORATION; TOWN
SUPERVISOR TOWN OF BABYLON; and
“John Doe” and/or “Jane Doe” 1-10 inclusive,
said persons or parties having or claimed to have
a right, title or interest in the Mortgaged premises
herein, their respective names are presently
unknown to Plaintiff,,

Defendants.

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HURLEY, Senior District Judge:

Presently before the Court is the Report and Recommendation, dated July 30, 2018, of
Magistrate Judge Steven I. Locke recommending that plaintiff’s motion for a default judgment
and judgment of foreclosure and sale be granted, and that Plaintiff be awarded: (i) \$133,871.19
for the outstanding principal balance on the Note; (ii) \$23,278.59 in accrued interest, plus per
diem interest of \$22.01 until judgment is entered and post-judgment interest at the statutory rate;
(iii) \$6,321.17 for legal fees and costs; (iv) \$3,899.55 in taxes and insurance; and (v) \$447.73 in
late fees. Judge Lock further recommends that the Subject Property be foreclosed and sold with

the proceeds to be applied to the amount due under the Note, that Defendants “John Doe” and/or “Jane Doe” 1-10 be removed from the caption and that an Order similar to the Proposed Judgment, but consistent with the Report and Recommendation, be entered. More than fourteen days have elapsed since service of the Report and Recommendation and no objections have been filed by Defendants.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and result. Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion for a default judgment and judgment of foreclosure and sale is granted and Plaintiff be awarded: (i) \$133,871.19 for the outstanding principal balance on the Note; (ii) \$23,278.59 in accrued interest, plus per diem interest of \$22.01 until judgment is entered and post-judgment interest at the statutory rate; (iii) \$6,321.17 for legal fees and costs; (iv) \$3,899.55 in taxes and insurance; and (v) \$447.73 in late fees. It is further ordered that the caption of this matter be amended to remove Defendants “John Doe” and/or “Jane Doe” 1-10. The Court will this day enter a Judgment of Foreclosure and Sale consistent herewith.

Dated: Central Islip, N.Y.
August 22, 2018

/s/ Denis R. Hurley
Denis R. Hurley
United States District Judge